

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY

"Better Service for a Better Environment"

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RUSSELL J. HARDING, Director

REPLY TO:

AIR QUALITY DIVISION
PO BOX 30260
LANSING MI 48909-7760

RDS-2
2/2/98

February 5, 1998

Mr. David Kee
Air and Radiation, A-18J
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Dear Mr. Kee:

We recently submitted a request for a "SIP Correction" to clarify that Michigan Rule 901 is not a part of the SIP. As we discussed recently, there is the question of what we should do with the Title V permits we will be issuing in the next few months before the SIP Correction is final.

The Michigan industry representatives recently did an analysis of this issue (copy attached) and concluded that Rule 901 is not a part of the SIP. There also was a recent court decision (also attached) where the court ruled that Rule 901 was not a part of the SIP. Neither the EPA nor the State were a party to this litigation.

I see some options, but would appreciate your comments before deciding how to proceed while the SIP Correction is pending. I'll give you a call in the near future to discuss.

Sincerely,

Dennis M. Drake, Chief
Air Quality Division
517-373-7069
517-335-6993 (FAX)

DMD:MAH
Attachments